

INSTRUCTIONS FOR UPDATING YOUR GUIDELINES MANUAL

EFFECTIVE JULY 1, 2006

9th Edition


1. All of the pages in the sentencing guidelines manual have been reprinted this year. Please remove all pages from your manual except the tab dividers. Insert the new “Weapons/Firearm” offense tab directly behind the “Miscellaneous” offense tab. The tabs in your manual should be as follows:

What’s New	Larceny
Introduction	Murder/Homicide
General Instructions	Other Sexual Assault
Assault	Rape
Burglary/Dwelling	Robbery
Burglary/Other	Traffic/Felony
Drugs/Schedule I/II	Miscellaneous
Drugs/Other	Weapons/Firearm
Fraud	Appendices
Kidnapping	Index

2. Before the “What’s New” tab, insert the following pages:
Cover Page, Letter from Judge Bach, and the Table of Contents.

3. For the remaining pages, refer to the page number in the bottom right-hand corner to determine behind which tabbed section the inserts should be placed.

For example, all pages with the page number starting with “What’s New” should be placed behind the “What’s New” tab, “Introduction” pages behind the “Introduction” tab, and so forth.

 **What's New in the 2006 Manual**

Each year, the Commission closely monitors the sentencing guidelines system and deliberates upon possible modifications to enhance the usefulness of the guidelines as a tool for judges in making their sentencing decisions. In addition, the Commission may receive directives from the General Assembly to study and determine the feasibility of modifying certain aspects of the sentencing guidelines.

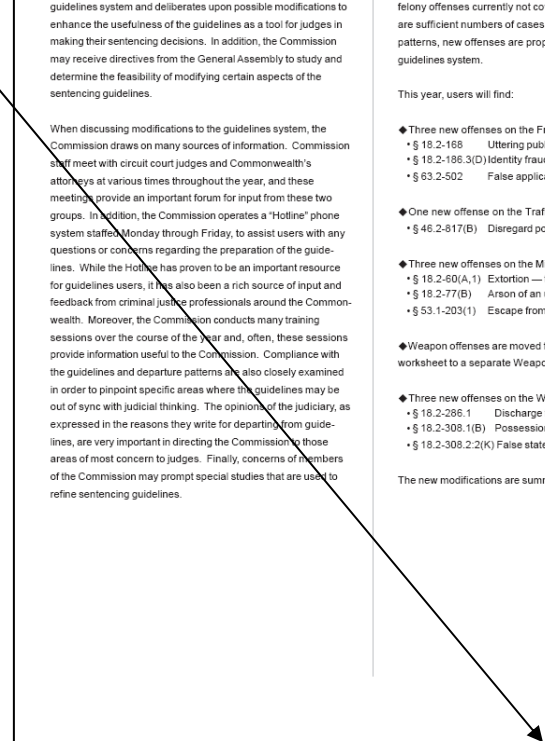
When discussing modifications to the guidelines system, the Commission draws on many sources of information. Commission staff meet with circuit court judges and Commonwealth's attorneys at various times throughout the year, and these meetings provide an important forum for input from these two groups. In addition, the Commission operates a "Hotline" phone system staffed Monday through Friday, to assist users with any questions or concerns regarding the preparation of the guidelines. While the Hotline has proven to be an important resource for guidelines users, it has also been a rich source of input and feedback from criminal justice professionals around the Commonwealth. Moreover, the Commission conducts many training sessions over the course of the year and, often, these sessions provide information useful to the Commission. Compliance with the guidelines and departure patterns are also closely examined in order to pinpoint specific areas where the guidelines may be out of sync with judicial thinking. The opinions of the judiciary, as expressed in the reasons they write for departing from guidelines, are very important in directing the Commission to those areas of most concern to judges. Finally, concerns of members of the Commission may prompt special studies that are used to refine sentencing guidelines.

Each year the Commission reviews sentencing patterns for felony offenses currently not covered by guidelines. When there are sufficient numbers of cases with discernable sanctioning patterns, new offenses are proposed for inclusion in the guidelines system.

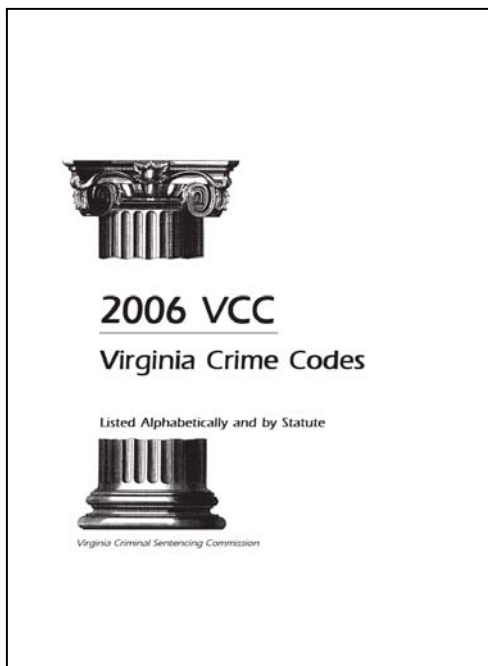
This year, users will find:

- ◆ Three new offenses on the Fraud worksheet:
 - § 18.2-168 Uttering public record
 - § 18.2-186.3(D) Identity fraud – loss greater than \$200
 - § 63.2-502 False application for public assistance
- ◆ One new offense on the Traffic worksheet:
 - § 46.2-817(B) Disregard police command to stop
- ◆ Three new offenses on the Miscellaneous worksheet:
 - § 18.2-60(A,1) Extortion — threaten to kill by letter, etc.
 - § 18.2-77(B) Arson of an unoccupied dwelling/church
 - § 53.1-203(1) Escape from a correctional facility
- ◆ Weapon offenses are moved from the Miscellaneous worksheet to a separate Weapon worksheet
- ◆ Three new offenses on the Weapon worksheet:
 - § 18.2-286.1 Discharge firearm from motor vehicle
 - § 18.2-308.1(B) Possession of firearm on school property
 - § 18.2-308.2(K) False statement on consent form

The new modifications are summarized on the following pages.



What's New 1

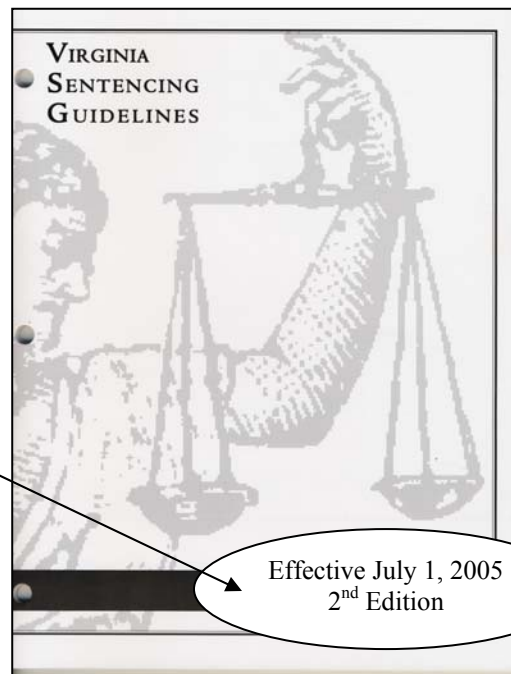


4. Included in the 2006-2007 update packet is a copy of the new 2006 Virginia Crime Codes (VCC) booklet. There have been many changes and additions to the *Code of Virginia* that take effective July 1, 2006.

Please discard all old copies of the VCC Booklets.

5. There are NO CHANGES to the Sentencing Revocation Report and Probation Violation Guidelines booklet or worksheets. Therefore, the 2nd edition issued last year with an effective date of July 1, 2005 is the most current edition.

If you do not have the most recent edition of this booklet, please call the Commission for a copy.



If you are missing tabs, the Probation Violation Guidelines booklet, or any other part of the manual, please contact the Commission. The new worksheets effective for anyone sentenced July 1, 2006 and after are available on the Commission's website. In addition, the website provides a PowerPoint presentation detailing "What's New" on the 2006-2007 guidelines. If you have any questions, please feel free to contact us.

